

Scott E. Ortiz, Wyo. State Bar # 5-2550
Brian J. Marvel, Wyo. State Bar # 7-4708
WILLIAMS, PORTER, DAY & NEVILLE, P.C.
159 North Wolcott, Suite 400
P.O. Box 10700
Casper, WY 82602
Telephone: (307) 265-0700
Fax: (307) 266-2306
sortiz@wpdn.net
bmarvel@wpdn.net

ATTORNEYS FOR DEFENDANTS
POWELL VALLEY HEALTHCARE, INC.,
POWELL HOSPITAL DISTRICT NO. 1,
AND POWELL VALLEY HOSPITAL

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

AUSTIN W. DUROSE, by and through his)
Next Friends and Natural Parents,)
William K. and Mindy E. DuRose, WILLIAM)
K. DUROSE, and MINDY E. DUROSE,)

Plaintiffs,)

vs.)

Case No.: 13-CV-216-S

POWELL VALLEY HEALTHCARE, INC.,)
POWELL HOSPITAL DISTRICT NO. 1,)
POWELL VALLEY HOSPITAL, JEFFERY)
HANSEN, M.D., AND JOHN DOES 1 THROUGH)
10)

Defendants.)

**POWELL VALLEY HEALTHCARE, INC., POWELL HOSPITAL DISTRICT NO. 1,
AND POWELL VALLEY HOSPITAL'S LIST OF ALL OTHER WITNESSES**

COME NOW Defendants, Powell Valley Healthcare, Inc., Powell Hospital District No. 1,
and Powell Valley Hospital (hereinafter referred to collectively as "Defendants") by and through
its undersigned counsel of Williams, Porter, Day & Neville, P.C. and pursuant to this Court's

Amended Order on Initial Pretrial Conference, dated July 28, 2014, ECF No. 33, hereby provide their list of “all other witnesses that may be called at trial, other than the witnesses already identified in the initial disclosures and the expert witnesses.” The following are the Defendants’ “list of all other witnesses that may be called at trial, other than the witnesses already identified in the initial disclosures and the expert witnesses to be designated”

1. Timothy Seeley, R.Ph.
Director of QI and Risk Management
Powell Valley Healthcare
777 Avenue H
Powell, Wyoming 82435

Mr. Seeley is the Director of Quality Improvement and Risk Management for Powell Valley Healthcare. It is anticipated Mr. Seeley may testify, to the extent such testimony is non-objectionable and/or privileged, as to training within Powell Valley Hospital and general quality assurance procedures. Mr. Seeley’s deposition has been taken, and it is expected that he will testify consistent with his deposition testimony.

2. Sharon Christensen
Executive Assistant
Powell Valley Healthcare
777 Avenue H
Powell, Wyoming 82435

Ms. Christensen was an Administrative/Medical Staff Secretary serving functions for the credentialing committee at Powell Valley Healthcare. Ms. Christensen may testify as to the credentialing process, information gathered during the credentialing process, and verification efforts during the credentialing process.

3. Karen McDaniel
Credentialing Coordinator
Powell Valley Healthcare
777 Avenue H
Powell, Wyoming 82435

Ms. McDaniel is the Credentialing Coordinator for Powell Valley Healthcare. Ms. McDaniel may testify as to the credentialing process, information gathered during the credentialing process, and verification efforts during the credentialing process.

4. Elizabeth Spomer, M.D.
Powell Valley Healthcare
777 Avenue H
Powell, Wyoming 82435

Dr. Spomer may testify as to the credentialing process, information gathered during the credentialing process, and verification efforts during the credentialing process. Dr. Spomer may testify as to the credentialing of Jeffery Hansen, M.D.

5. Valerie Lengfelder, M.D.
Powell Valley Healthcare
777 Avenue H
Powell, Wyoming 82435

Dr. Lengfelder may testify as to the credentialing process, information gathered during the credentialing process, and verification efforts during the credentialing process. Dr. Lengfelder may testify as to the credentialing of Jeffery Hansen, M.D.

6. Robert Chandler, M.D.
Powell Valley Healthcare
777 Avenue H
Powell, Wyoming 82435

Dr. Chandler may testify as to the credentialing process, information gathered during the credentialing process, and verification efforts during the credentialing process. Dr. Chandler may testify as to the credentialing of Jeffery Hansen, M.D.

7. Sina Coguill
Powell Valley Healthcare
777 Avenue H
Powell, Wyoming 82435

Ms. Coguill was a staff member at Powell Valley Healthcare who for a short period of time served functions for the credentialing committee. Ms. Coguill may testify as to the credentialing process, information gathered during the credentialing process, and verification efforts during the credentialing process.

8. Tricia Udovich
Maetrics, LLC
8888 Keystone Crossing
Suite 1550
Indianapolis, IN 46240 USA

Ms. Udovich is a former Sr. MDR Specialist for ArthroCare and may testify as to adverse event reports made for the Firstpass Suture Passer. Ms. Udovich may testify to manufacturer defects, if any, defects in the Firstpass Suture Passer, if any, problems and/or issues with the Firstpass Suture Passer, if any.

9. Representatives/Employees of ArthroCare Corporation
7000 West William Cannon
Austin, Texas 78735

Representatives and/or employees of the ArthroCare Corporation may testify as to adverse event reports made for the Firstpass Suture Passer, manufacturer defects, if any, defects in the Firstpass Suture Passer, if any, problems and/or issues with the Firstpass Suture Passer, if any.

10. James Beukelman; Renee (Humphries) Reel; R.J. Kost; Jim Carlson; Deb Kleinfeldt; Bonita Katz; Larry Parker
Powell Valley Hospital District Board Members
777 Avenue H
Powell, Wyoming 82435

The above and foregoing board members may testify as to the relationship between Powell Hospital District and Powell Valley Healthcare, Inc. They may further testify as the status of the Defendants as governmental entities and/or instrumentalities.

11. The Defendants incorporate by reference the list of witnesses contained in *Defendants' Rule 26 Initial Disclosures* and *Plaintiffs' Rule 26 Initial Disclosures*. Some of these witnesses have been deposed and/or are scheduled to be deposed, the witnesses deposed are expected to testify consistent with their deposition testimony.

12. All witnesses listed by any other party.

13. The Defendants reserve the right to rely on and call any witness listed by any other party including, but not limited to, any witness identified by the Plaintiff or the other Defendants in their initial disclosures or listing of all other witnesses.

14. The Defendants reserve the right to call any proper foundation witnesses.

15. The Defendants reserve the right to add additional witnesses or rebuttal witnesses as may be necessary or appropriate.

16. The Defendants reserve the right to list additional witnesses as may be revealed in the course of discovery concerning the matters at issue in this case.

DATED this 2nd day of December, 2014.

POWELL VALLEY HEALTHCARE, INC., POWELL
HOSPITAL DISTRICT NO. 1, POWELL VALLEY
HOSPITAL.

/s/ Brian J. Marvel

Scott E. Ortiz, Wyo. State Bar #5-2550
Brian J. Marvel, Wyo. State Bar #7-4708
WILLIAMS, PORTER, DAY & NEVILLE, P.C.
159 North Wolcott, Suite 400
P. O. Box 10700
Casper, WY 82602-3902
Telephone: (307) 265-0700
Facsimile: (307) 266-2306
Email: sortiz@wpdn.net
bmarvel@wpdn.net

ATTORNEYS FOR THE DEFENDANTS

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and correct copy of the foregoing document was delivered to the Court via the CM/ECF System and served upon counsel via electronic transmission this 2nd day of December, 2014.

Jon M. Moyers
MOYERS LAW P.C.
490 N. 31 St., Suite 101
Billings, Montana 59101
jon@jmoyerslaw.com

Alfred F Paoli, Jr
BOGUE PAOLI & THOMAS LLC
1401 17th Street
Suite 320
Denver, CO 80202
fpaoli@bogue-paoli.com

Timothy M. Stubson
CROWLEY FLECK, PLLP
152 North Durbin, Suite 220
Casper, WY 82601
tstubson@crowleyfleck.com

Mackenzie Williams
WYOMING ATTORNEY GENERAL'S OFFICE
2424 Pioneer Avenue, 2nd Floor
Cheyenne, WY 82002
mackenzie.williams@wyo.gov

Jeffery J. Oven
Christopher C. Voigt
CROWLEY FLECK, PLLP
500 Transwestern Plaza II
490 North 31st Street
P. O. Box 2529
Billings, MT 59103-2529
joven@crowleyfleck.com
cvoigt@crowleyfleck.com

/s/ Brian J. Marvel

Brian J. Marvel